

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 11 June 2008 has been entered.

Status of the Claims

2. The claims 1-21 filed on 11 June 2008 have been examined.
3. Claims 1, 2, and 21 have been amended.

Response to the Arguments

4. The arguments presented by the Applicant were carefully considered, but are moot based on the new grounds of rejection.

Claim Rejections - 35 USC § 103

1. **Claims 1 through 21** are rejected under 35 U.S.C. 103(a) as being unpatentable over iButton and further in view of Richard et al., US 6,564,120 B1 henceforth know as Richard.

Claims 1, 2-15, 17 and 19-21:

- ***Tracking device tracks time and temperature at discrete time intervals,***
- ***Logging the information being tracked.***

iButton in at least page 5 discloses a thermochron device being used to track time and temperature and further discloses the time and date-stamped temperature being taken and recorded at discrete intervals. iButton in at least page 5 further discloses that the thermochron

Art Unit: 3627

device can go wherever thermally vulnerable products go and may easily be attached to containers of frozen or fresh foods, blood products, etc. for recording time and temperature during transport and storage.

iButton in at least page 8 discloses the thermochron device being configured to log the time and temperature and the device being tracked.

- **Tracking temperature, location and access to a plurality of items by use of a user identification.**

iButton in at least page 3 discloses the iButton being used to grant its owner access to a building, a PC, a piece of equipment, or a vehicle and in page 5 further discloses a globally unique address for identifying the device. Therefore, it would have been obvious, at the time of the invention, to one of ordinary skill that the person or item having affixed to it an iButton is being tracked and can be identified.

- **The tracking device communicates with a network to store and receive information.**

iButton in at least page 10 and page 11 discloses that the thermochron device can be networked, can be Web-addressable and may update its own Web page.

iButton does not disclose the following limitations. However, Richard does in at least Fig. 8, Column 2, lines 14-28 disclose:

- ***A storage unit;***
- ***With inner removable storage unit.***

Richard in at least Column 5, lines 42-54 further discloses:

- ***Processing device that reads the tracking data from the tracking device.***

Richard in at least Column 2, lines 25-28 discloses a computer operatively connected to a robot mechanism for controlling movement and access operation and for registering the contents of the storage receptacles.

- ***A data storage device electrically linked to the processing device;***
- ***Tracking data is stored in the data storage device.***

Richard in at least Column 3, lines 1-7 discloses the storage receptacles in a rectangular grid array. Richard in at least Column 3, lines 26-30 further discloses that the storage receptacles are analogous to safety deposit boxes with an inner and outer panel to allow access to the safety deposit boxes and further discloses in Column 7, lines 13-15 that storage containers may take any form known in the art.

- ***Inner storage unit is a rack, a drawer storage rack or a drawer.***
- ***Inner storage unit is a shelf, a tray.***
- ***Inner storage unit is a Petri dish.***

Therefore, it would have been obvious, at the time of the invention, to one of ordinary skill in the art to combine the well know temperature, time, and access control elements of iButton with the well known storage features of Richard with the motivation of achieving the combined predictable results for tracking the time and temperature of an item in storage.

Claim 16:

iButton do not disclose the following limitation:

- ***Attaching a mechanical arm onto a surface of the storage unit; and***

Richard does not specifically disclose a mechanical arm on the surface of the storage unit. However, Richard in at least Column 6, lines 14-33 discloses that the robot mechanism grasps a hook or other coupling element on the storage unit to extract the storage unit from the storage

Art Unit: 3627

receptacle. Therefore it would be obvious, at the time of the invention, to a person of ordinary skill in the art that a hook or coupling element is essentially a mechanical arm which serves as a handle allowing the storage unit to be easily removed and replaced within the storage receptacle.

With regard to the limitation:

- ***Coupling a tracking device onto the mechanical arm.***

iButton in at least page 3 discloses the iButton being used to grant its owner access to a building, a PC, a piece of equipment, or a vehicle and in page 5 further discloses a globally unique address. iButton in at least page 5 further discloses that the thermochron device can go wherever thermally vulnerable products go and may easily be attached to containers of frozen or fresh foods, blood products, etc. for recording time and temperature during transport and storage.

Richard does not specifically disclose a tracking device coupled to the mechanical arm. However, Richard in at least Column 5, lines 46-50 does disclose the use of bar codes for enabling continued automated supervision and control. Richard in at least Column 6, lines 62-67 further discloses bar code applied to the end walls of the removable storage units, identifying the contents of the storage unit. Therefore, it would have been obvious, at the time of the invention, to one of ordinary skill in the art to combine the well know temperature, time, and access control elements of iButton with the well known storage features of Richard with the motivation of achieving the combined predictable results for tracking the time and temperature of an item in storage.

Claim 18:

iButton do not disclose the following limitation:

- ***Wherein the mechanical arm is a restraint latch.***

Richard does not disclose a restraint latch. However Richard in at least Column 6, lines 1-5 discloses that the storage unit has compartments and each is closed by a friction-lock, slide-lock

Art Unit: 3627

or snap-lock covers. Therefore, it would be obvious, at the time of the invention, to one of ordinary skill in the art that friction-locks, slide-locks or snap-lock covers are types of restraint latches which are used to prevent a storage unit from accidentally opening and spilling its contents while the storage unit is being inserted or removed from the storage receptacle and during the transportation from one location to another.

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to PAUL DANNEMAN whose telephone number is (571)270-1863. The examiner can normally be reached on Mon.-Thurs. 6AM-5PM Fri. off.

6. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Florian Zeender can be reached on 571-272-6790. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Paul Danneman/

Examiner, Art Unit 3627

23 August 2008

/F. Ryan Zeender/
Supervisory Patent Examiner, Art Unit
3627

Application/Control Number: 10/026,840
Art Unit: 3627

Page 7